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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,208	12/15/2000	John R. Milton	10005368-1	1142

7590 02/26/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

3

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/738,208

Applicant(s)

MILTON, JOHN R.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to application filed **12/15/2000**.
2. Claims 1-17 are currently pending in this application. Claims 1, 7 and 12 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated over Langford-Wilson, US Patent No. 5,953,733 issued Sep. 14, 1999 filed Jun. 21, 1996 (hereinafter '733).**

In regard to independent claim 12, '733 teaches, Automatically builds the final layout, including transparently resizing the selected layout and its elements to suit the new size specified by the user, in accordance with the rules that have been defined for that layout, col. 4, lines 5-9; compare with claim 12 "*automatically reducing a length of an original article in a computer system to fit within a predefined space allocation of a publication*" (i.e. Newshole: We have used this term to describe a component of a page, see '733 col. 2, line 43-44).

In regard to dependent claim 13, '733 teaches, allow the publication to store/remove Sections, Styles, Families, Children and Cousins to/from the database, col. 5, lines 37-38; compare with claim 13 "*storing the original article in a memory of the computer system*", and "*storing the pruning copy in the memory*",

'733 also teaches, a newshole is filled in accordance with a design, and resizing of the newshole takes place if the fit is not in accordance with predetermined criteria, col. 3, lines 4-7; compare with claim 13 "*creating a pruning copy of the original article to be reduced*",

733 also teaches, automatically adjusting the layout (or its elements) to accommodate or suit the user's manual edits; and/or suggesting that an entirely different layout would be more appropriate according to the predefined design style; and/or allowing the user to accept that suggestion, at which point the software may automatically build the new layout and/or use it to replace the previous one, col. 4, lines 15-22; compare with claim 13 "*comparing a pruned content of the pruning copy with a content of the original article to determine an informational adequacy of the pruned content*".

In regard to dependent claim 14, '733 teaches, provides a mechanism by which text and images for publishing can be prepared and/or edited, col. 1, lines 6-7; compare with claim 14 "*removing a last paragraph of the pruning copy*".

In regard to dependent claim 15, '733 teaches, reads the size of the target layout, notes the Section and the Layout Style requested, and searches for Families within the Section/Style which contain Children whose minimum size is smaller than or

equal to the target's and whose maximum size is equal to or greater than the target's, col. 8, lines 45-50; compare with claim 15 "*obtaining a first value measuring the content of the original article by performing an analysis of the content of the original article; obtaining a second value measuring the content of the pruning copy by performing an analysis of the content of the pruning copy; and comparing a ratio of the first value to the second value to a predefined threshold ratio*".

In regard to dependent claims 16, and 17, '733 teaches, automatically adjusting the layout (or its elements) to accommodate or suit the user's manual edits; and/or suggesting that an entirely different layout would be more appropriate according to the predefined design style; and/or allowing the user to accept that suggestion, at which point the software may automatically build the new layout and/or use it to replace the previous one, col. 4, lines 15-22; compare with claim 16 "*discarding the original article and the pruned copy if the informational adequacy of the pruned content is insufficient to publish*", and to claim 17 "*including the pruned copy in a publication if the informational adequacy of the pruned content is sufficient to publish*".

In regard to independent claim 1, is directed to a system for performing the method of claim 12, and is similarly rejected under the same rationale.

In regard to dependent claim 2, is directed to a system for performing the method of claim 13, and is similarly rejected under the same rationale.

In regard to dependent claim 3, is directed to a system for performing the method of claim 14, and is similarly rejected under the same rationale.

In regard to dependent claim 4, is directed to a system for performing the

method of claim 15, and is similarly rejected under the same rationale.

In regard to dependent claim 5, is directed to a system for performing the method of claim 16, and is similarly rejected under the same rationale.

In regard to dependent claim 6, is directed to a system for performing the method of claim 17, and is similarly rejected under the same rationale.

In regard to independent claim 7, is directed to a system for performing the method of claim 13, and is similarly rejected under the same rationale.

In regard to dependent claim 8, is directed to a system for performing the method of claim 14, and is similarly rejected under the same rationale.

In regard to dependent claim 9, is directed to a system for performing the method of claim 15, and is similarly rejected under the same rationale.

In regard to dependent claim 10, is directed to a system for performing the method of claim 16, and is similarly rejected under the same rationale.

In regard to dependent claim 11, is directed to a system for performing the method of claim 17, and is similarly rejected under the same rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Orr et al. U.S. Patent No. 5,895,477 issued-Apr. 20, 1999 filed-Sep. 9, 1996

Eisenberg U.S. Patent No. 5,895,475 issued-Apr. 20, 1999 filed-May. 31, 1996

Andersen et al. U.S. Patent No. 5,903,905 issued-May.11, 1999 filed-Apr. 30,1996

Berquist et al. U.S. Pub No. 6,411,310 B1 issued-Jun. 25, 2002 filed-Jul. 1, 1996

Lovell et al. U.S. Patent No. 6,414,698 B1 issued-Jul. 2, 2002 filed-Apr. 13, 1999

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-8781. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
February 20 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER